



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 9, 2007

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Approval Of Map And Execution Of Agreements For 1418 Santa Rosa Avenue

RECOMMENDATION: That Council:

- A. Approve and authorize the City Administrator to record Parcel Map No. 20,757 by Santa Rosa Associates, LLC, a California Limited Liability Company, for a subdivision located at 1418 Santa Rosa Avenue, Santa Barbara County Assessor's Parcel Number 045-132-014, and find the Parcel Map in conformance with the General Plan for the City of Santa Barbara (City);
- B. Approve and authorize the City Administrator to execute and record an Agreement Relating to Subdivision Map Conditions Imposed on Real Property; and
- C. Approve and authorize the City Administrator to execute and record an Agreement for Land Development Improvements.

DISCUSSION:

A Tentative Map for a subdivision located at 1418 Santa Rosa Avenue (Attachment 1) was conditionally approved on May 17, 2007, by adoption of the Planning Commission's (PC) Conditions of Approval, Resolution number 023-07 (Attachment 2). The proposed project involves a three-lot subdivision, resulting in demolition of the existing structure, and the construction of three, one-story single-family residences. Lot one will have the required street frontage, and the other two lots will gain access via a 16 foot wide driveway along the eastern property line. All site drainage will direct surface runoff towards Santa Rosa Avenue via storm drains and swales, and will include on-site detention structures.

In accordance with the PC's approval, the Owner (Attachment 3) has signed and submitted the Parcel Map and the subject Agreements to the City, tracked under Public Works Permit No. PBW2007-00958. It is necessary that Council approve the Parcel Map since it conforms to all the requirements of the Subdivision Map Act and the Municipal Code applicable at the time of approval of the Tentative Map (Municipal Code, Chapter 27.09.060).

REVIEWED BY: _____ Finance _____ Attorney

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Staff recommends that Council authorize the City Administrator to execute the subject *Agreement Relating to Subdivision Map Conditions Imposed on Real Property*, and an *Agreement for Land Development Improvements*. The *Agreement Assigning Water Extraction Rights* is being processed concurrently with this Council Agenda Report, but will be signed by the Public Works Director in accordance with City Council Resolution No. 02-131.

THE FINAL MAP IS AVAILABLE FOR REVIEW, BOTH IN THE CITY CLERK'S OFFICE AND THE MAYOR AND COUNCIL'S OFFICE.

ATTACHMENT(S): 1. Vicinity Map
2. Conditions that are required to be recorded concurrent with Parcel Map No. 20,757 by the Planning Commission Conditions of Approval, Resolution No. 023-07
3. List of Owners and Members of Santa Rosa Associates, LLC, a California Limited Liability Company

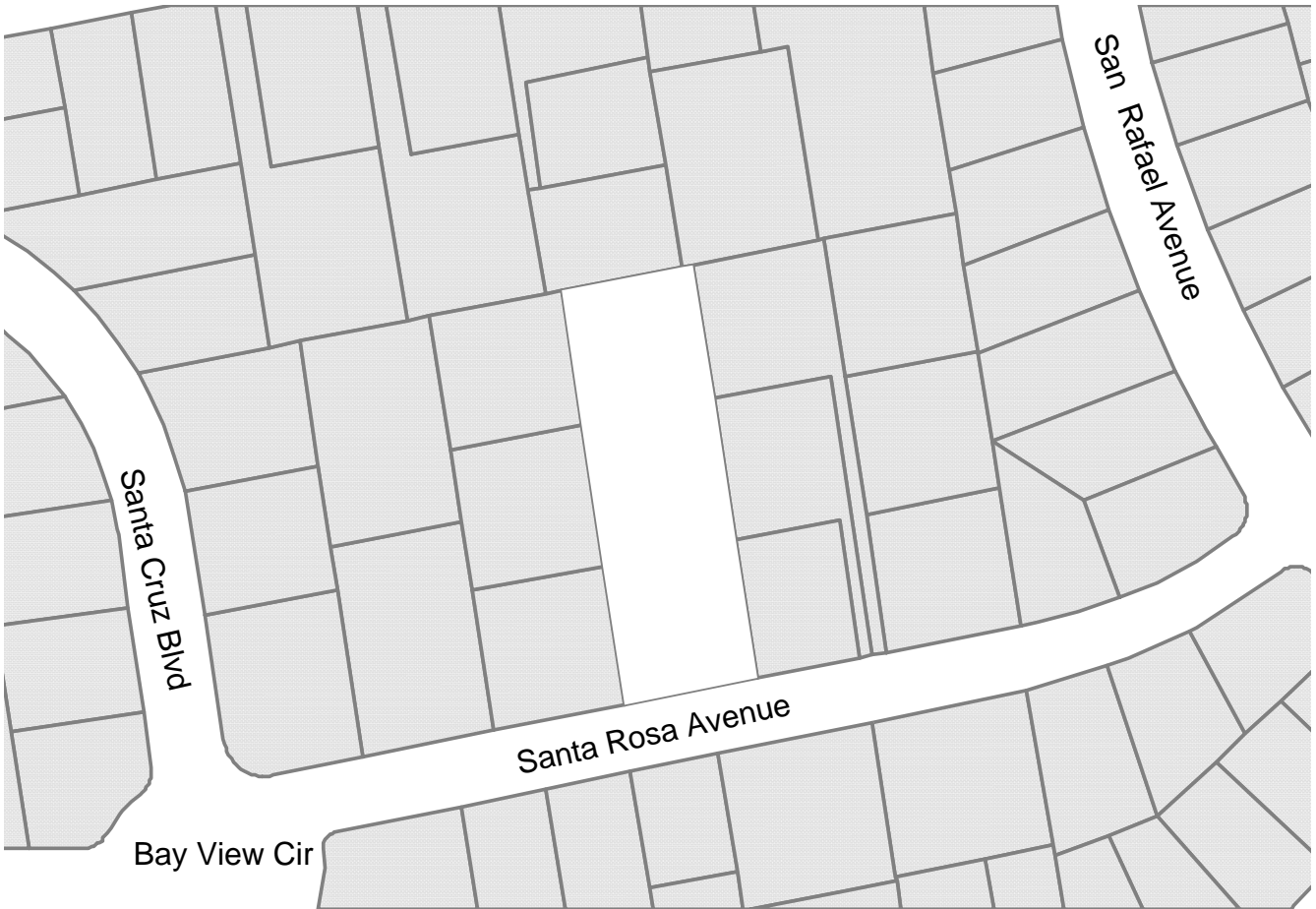
PREPARED BY: Homer F. Smith II, Principal Engineer/VJ/kts

SUBMITTED BY: Anthony J. Nisich, Public Works Director

APPROVED BY: City Administrator's Office

Vicinity Map

1418 Santa Rosa Avenue



Not to Scale

**CONDITIONS THAT ARE REQUIRED TO BE RECORDED CONCURRENT WITH PARCEL
MAP NO. 20,757 BY PLANNING COMMISSION CONDITIONS OF APPROVAL, RESOLUTION
NO. 023-07**

1418 Santa Rosa Avenue

Said approval is subject to the following conditions:

A. **Recorded Agreement.** Prior to the issuance of any Public Works permit or building permit for the project on the Real Property, the Owner shall execute an "Agreement Relating to Subdivision Map Conditions Imposed on Real Property," which shall be reviewed as to form and content by the City Attorney, Community Development Director and Public Works Director, recorded in the Office of the County Recorder, and shall include the following:

1. **Uninterrupted Water Flow.** The Owner shall provide for the uninterrupted flow of water through the Real Property including, but not limited to, swales, natural water courses, conduits and any access road, as appropriate.

2. **Parcel Map.** The owner shall submit to the Public Works Department for approval, a Parcel Map prepared by a licensed land surveyor or registered Civil Engineer. The Parcel Map shall conform to the requirements of the City Survey Control Ordinance and shall be recorded concurrently with the Agreement Relating to Subdivision Conditions Imposed on Real Property

3. **Recreational Vehicle Storage Prohibition.** No recreational vehicles, boats or trailers shall be stored on the Real Property. This would include, but is not limited to the guest parking spaces that are located on Parcel .

4. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan approved by the Single Family Design Board (SFDB). Such plan shall not be modified unless prior written approval is obtained from the SFDB. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan. If said landscaping is removed for any reason without approval by the SFDB, the owner is responsible for its immediate replacement.

5 **Approved Development.** The development of the Real Property approved by the Planning Commission on May 17,2007, is limited to the subdivision of a 30,163 square foot lot into three parcels and the improvements shown on the Tentative Subdivision Map signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara.

6. **Required Private Covenants.** The Owners shall record in the official records of Santa Barbara County either private covenants, a reciprocal easement agreement, or a similar agreement which, among other things, shall provide for all of the following:

a. **Common Area Maintenance.** An express method for the appropriate and regular maintenance of the common areas, common access ways, common utilities and other similar shared or common facilities or improvements of the development, which methodology shall also provide for an appropriate cost-sharing of such regular maintenance among the various owners of the condominium parcels.

b. **Garages Available for Parking.** A covenant that includes a requirement that all garages be kept open and available for the parking of vehicles owned by the residents of the property in the manner for which the garages were designed and permitted.

c. **Trash and Recycling.** Adequate space shall be provided and maintained for trash and recycling purposes.

d. **Landscape Maintenance.** A covenant that provides that the landscaping shown on the approved Landscaping Plan shall be maintained and preserved at all times in accordance with the Plan.

e. **Covenant Enforcement.** A covenant that permits each owner to contractually enforce the terms of the private covenants, reciprocal easement agreement, or similar agreement required by this condition.

Attachment 3

LIST OF OWNERS/MEMBERS OF SANTA ROSA ASSOCIATES, LLC 1418 SANTA ROSA AVENUE

Gregory J. Parker, Manager